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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Larry G. Michalewicz, et al.  
Serial No.: 09/449,185  
Filing Date: November 24, 1999  
Confirmation No. 5978  
Group Art Unit: 2661  
Examiner: Brian D. Nguyen  
Title: ***System and Method for Converting Packet Payload Size***

**MAIL STOP: AF**  
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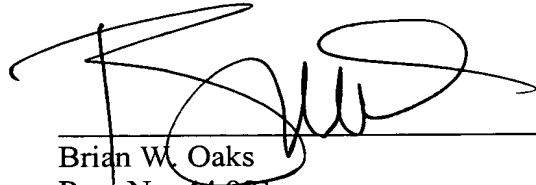
Date: November 19, 2004

**RESUBMITTED AMENDMENT PURSUANT TO 37 C.F.R. § 1.116**

Applicants filed a Notice of Appeal on November 2, 2004 to prevent the abandonment of this application due to excessive delays by the Patent Office in scanning Applicants' Amendment Pursuant to 37 C.F.R. § 1.116 filed on August 24, 2004. Because this Amendment has still not been scanned, the Examiner is unable to consider Applicants' amendments, which would place the application in condition for allowance. Furthermore, the Examiner has now indicated that the Notice of Appeal has been scanned, while the August 24, 2004 Amendment still has not been scanned. Therefore, Applicants are concerned that

the August 24, 2004 Amendment has been lost and thus are submitting herewith a copy of this previously filed Amendment, along with proof of its submission on August 24, 2004. Applicants request expedited scanning of this Amendment, so that it may be promptly forwarded to the Examiner for his review.

Respectfully submitted,  
BAKER BOTTS L.L.P.  
Attorneys for Applicants

  
\_\_\_\_\_  
Brian W. Oaks  
Reg. No. 44,981

Date: November 19, 2004

Correspondence Address:

**Customer No.: 05073**



**\*\* Transmit Conf. Report \*\***

P. 1

Aug 24 2004 13:58

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**BAKER BOTTS LLP**

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**TO** Examiner Brian D. Nguyen

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**FROM** Brian W. Oaks

**VOICE NO.** 214.953.6986

**DATE** August 24, 2004

**RETURN TO** Darla J. Rupert

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**PAGES (including cover)** 15

**MESSAGE**

**ATTORNEY DOCKET NO.: 062891.0342**

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Art Unit No.: 2661  
Examiner: Brian D. Nguyen  
Title: *System and Method for Converting Packet Payload Size*

**Please immediately notify Examiner Nguyen by e-mail (or by telephone at 703-305-5133) that this cover sheet, and the enclosed Amendment Pursuant to 37 C.F.R. § 1.116, have been received. Thank you.**

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this cover sheet (1 page), and the enclosed Amendment Pursuant to 37 C.F.R. § 1.116 (14 pages) are being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

**Signature:**

**Brian W. Oaks, Reg. No. 44,981**

**Date: August 24, 2004**